
State Water Resources Control Board

September 29, 2025

VIA ELECTRONIC MAIL

Louis Harper
Email: louisgharper@outlook.com

RESPONSE TO PUBLIC RECORDS ACT REQUEST

Dear Louis Harper:

On September 19, 2025, the State Water Resources Control Board (State Water Board), Division of Water Rights (Division) received your Public Records Act request. Specifically, you are requesting “all records related to the contract between the State Water Resources Control Board (SWRCB) and the United States Bureau of Reclamation (USBR) concerning reimbursement of costs for the administration of USBR’s water rights”, including:

- “All communications (internal and external) between or amongst SWRCB staff, and between SWRCB staff and USBR staff, relating to the negotiation, execution, administration, or implementation of this contract.”
- “Administrative records associated with the contract, including but not limited to: Drafts, final versions, and amendments of the agreement Meeting notes, agendas, and summaries.”
- “Briefing materials, memoranda, and correspondence.”
- “Invoices, reimbursement records, or accounting related to payments under the agreement.”
- “Calendar entries and invitations concerning meetings on this subject.”
- “Timeframe: This request covers the period from January 1, 2023 to 9/9/2025”

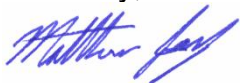
Division staff have identified public records responsive to your request. Staff are continuing to search for additional records and are reviewing records to determine whether they are exempt from disclosure requirements. The potential bases for non-disclosure may include one or more of the following exemptions to the Public Records Act: Attorney-Client Privilege, Deliberative Process Privilege, Attorney Work Product Privilege, Investigative Records Exemption, Pending Litigation Exemption, Trade Secret Exemption, Other Laws Exemption, and the Catch-All Balancing Test in Government Code section 7922.000.

The State Water Board is not required to provide a privilege log or other document inventory if such a log did not exist at the time of your request. (*Haynie v. Superior Court* (2001) 26 Cal.4th 1061, 1074–1075.) The Board intends to disclose nonexempt portions of records that are “reasonably segregable” from portions exempted by law. (*National Lawyers Guild, San Francisco Bay Area Chapter v. City of Hayward* (2020) 9 Cal.5th 488, 507 (citing Cal. Gov. Code, § 7922.525).) Please be advised that the Board is not waiving any applicable privileges and is not required to assert any written exemptions unless and until records are withheld.

We anticipate being able to complete production of responsive, non-exempt documents by October 29, 2025, and will update you if that estimate changes.

Please contact me by e-mail at Matthew.Jay@waterboards.ca.gov should you have any questions regarding your request.

Sincerely,



Matthew Jay
Analyst
State Water Resources Control Board
Division of Water Rights